

Decision 06-09-023 September 7, 2006

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Nabil F. Athanassious,

Complainant,

vs.

AT&T and Pacific Bell (U 1001-C),

Defendants.

Case 92-08-029
(Filed August 24, 1992)

Athanassious, Nabil,

Complainant,

vs.

AT&T and Pacific Bell (U 1001-C),

Defendants.

Case 92-09-028
(Filed September 14, 1992)

Joseph P. Ferrazzano, Louise Costo,
and Sandra Dunn,

Complainants,

vs.

AT&T and Pacific Bell (U 1001-C),

Defendants.

Case 92-12-031
(Filed December 11, 1992)

O P I N I O N

This decision closes the above-captioned dockets.

The Commission is taking steps to close old dockets. These matters were initiated a number of years ago. No activity has directly occurred in these dockets for several years.

During the years since these complaints were filed, almost all elements of the telecommunications industry have changed. The introduction of intra-local access and transport area (LATA) service, local competition and approval of Pacific Bell Telephone Company (Pacific Bell) to offer interLATA service, the offering of various service bundles including unlimited calling packages, the certification of many new carriers, and the restructuring of many carriers, including the merger of SBC Communications, the parent company of Pacific Bell, with AT&T Corp., have altered the setting.

The Commission has considered other complaints related to changes in the same LATA boundary. In Decision (D.) 01-12-031, the Commission rejected a request to modify the boundary between the Dixon and Vacaville exchanges or to allow customers to have telephone numbers that effectively allow local calls to cross the LATA line. Another related complaint was dismissed in D.02-07-010, where complainants sought to retain inadvertently assigned phone numbers for the opposite side of the LATA line relative to where they were located.

By a ruling dated July 24, 2006, the assigned Administrative Law Judge (ALJ) described the preceding history for the parties and indicated his intention to prepare for the Commission's consideration a decision that closes these complaints, absent a clear demonstration of a need to maintain these particular

proceedings as open and active dockets. No parties filed comments in response to the ruling.

Based on the lack of comments and absent any demonstration of need to maintain these as open dockets, it is appropriate to close these proceedings.

Based on the vintage of these proceedings, they were neither categorized nor any scoping memo issued.

Comments on Draft Decision

While this decision does not grant the relief originally requested by the complainants, the absence of comments filed in response to the ALJ's ruling indicates no objection from any party to the action being proposed. Therefore, these are uncontested matters which grant the relief currently accepted by the complainants. Accordingly, as provided by Cal. Pub. Util. Code § 311(g)(2) and Rule 77(f)(2) of our Rules of Practice and Procedure, we waive the otherwise applicable 30-day comment period for this decision.

Assignment of Proceeding

Michael R. Peevey is the Assigned Commissioner and Philip Weismehl is the assigned ALJ in this proceeding.

Findings of Fact

1. These matters have been open for many years and inactive for most of that time.
2. The background context for these complaints has changed significantly since they were filed.
3. Given a reasonable opportunity to comment on whether these matters should remain open and, if so, what augmentation of the record might be required, none of the parties to these consolidated complaints filed any comments.

Conclusion of Law

These complaints should be closed.

O R D E R

IT IS ORDERED that Case (C.) 92-08-029, C.92-09-028 and C.92-12-031 are closed.

This order is effective today.

Dated September 7, 2006, at San Francisco, California.

MICHAEL R. PEEVEY
President
GEOFFREY F. BROWN
DIAN M. GRUENEICH
JOHN A. BOHN
RACHELLE B. CHONG
Commissioners